

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87492 of 2019

Arising Out of PS. Case No.-234 Year-2019 Thana- KURSAKANTA District- Araria

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DOMA YADAV @ SANTOSH Son of Sangalu Yadav Resident of Village -
Bageshwari, P.O.- Gairki, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anita Kumari

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 01-06-2020 The present case was heard at length on

27.05.2020 and today, it has been listed under the heading

“For Orders”.

The petitioner seeks regular bail in
connection with Kursakanta PS case no. 234 of 2019
instituted for the offences punishable under Sections 419,
420, 489-A, 489-C, 489-D, 489-E of Indian Penal Code.

The case of the prosecution is that on 15.09.2019
at about 10.00 hrs., the informant is stated to have received
information from his sources that some people are engaging in
transportation of counterfeit Indian notes, whereupon the
informant along with police force had gone to the place of
occurrence and during the course of checking at about 13.05



hrs., one person was apprehended on suspicion who disclosed his name as Doma Yadav i.e. the petitioner herein and upon search, one bundle of 500 rupees note was recovered which was checked by means of note detector machine and it was found that the said notes recovered from the petitioner were counterfeit notes. Upon interrogation of the petitioner, he disclosed that his cousin brother-in-law namely Yadhubir Yadav had come for the Rakshabandhan festival at his house and had given the said bundle of notes for its safe keeping and had told him that whenever, he would inform him over telephone about handing over the said bundle of notes to the concerned person, he should do the needful and in lieu thereof, he will get a sum of Rs. 2000/-. The petitioner had further disclosed before the police that on 15.09.2019 at about 10.30, his brother-in-law had rung him from Punjab and had told to deliver the said bundle of note to the concerned person, whereafter, he was going to the said place for delivery of the said notes but he was apprehended on the way by the police. The total amount of counterfeit notes is stated to be Rs. 99,500/-

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he has no connection with the



counterfeit notes. It is further submitted that the petitioner is not aware that the bundle of notes which was given to him by his relative is bundle of counterfeit notes. Lastly, it is submitted that the petitioner is languishing in custody since 15.09.2019 and is having a clean antecedent.

Per contra, the learned APP for the State has submitted that the petitioner has been arrested on the spot with counterfeit notes and the offence alleged is heinous and amounts to anti-national activities being engaged in by the petitioner.

I have heard the learned counsel for the parties and perused the materials on record as also the case diary. A bare perusal of the case diary would show that the petitioner was caught red-handed by the police with the counterfeit notes in question as also there are ample materials in the case diary so as to connect the petitioner with the alleged crime.

Considering the facts and circumstances of the case as also considering the serious economic offence committed by the petitioner which challenges and undermines the authority of a sovereign country apart from the fact that the petitioner has been caught red-handed with the counterfeit notes which is a heinous offence, I do not deem it fit and proper to consider the



prayer of the petitioner for grant of regular bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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